

STATE	New Mexico
DATE REC'D	9-12-79
DATE APP'V'D	2-14-80
PCO-11	79-10
AGREEMENT	

This Agreement is entered into by and between the Department of Human Services, hereinafter referred to as "DHS" and the Health and Environment Department, hereinafter referred to as "HED".

#### ARTICLE 1: PERIOD OF AGREEMENT

This Agreement shall become effective on July 1, 1979 or upon approval of the Department of Finance and Administration whichever is later and shall terminate one (1) year after the last required signature has been obtained so long as notice of intent to terminate is received by the other agreeing party within sixty (60) days of said termination date; otherwise this Agreement shall be automatically renewed for successive State Fiscal Years.

#### ARTICLE 2: DEFINITIONS

The words quoted below will have the following meanings unless the context clearly requires otherwise:

- A. Medicaid means the program of medical assistance under Title XIX of the Social Security Act administered by DHS through its Income Support Division (ISD).
- B. Crippled Children's Service (CCS) means the program of medical assistance and Social Services under Title V of the Social Security Act administered by HED through its Health Services Division (HSD).
- C. Aid to Families with Dependent Children (AFDC) means the program of financial assistance under Title IV-A of the Social Security Act administered by DHS through its ISD.
- D. Supplemental Security Income (SSI) means the program of financial assistance under Title XVI of the Social Security Act administered by the Social Security Administration.
- E. Supplemental Security Income-Disabled Children's Program (SSI-DCP) means the program of counseling, developing individual service plans and referring of disabled children under age 16 and providing medical, social, developmental, and rehabilitative services for disabled children under age 7 and those who have never attended public school authorized by Public Law 94-566, Section 1615 (b) administered by HED through its HSD.
- F. Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) means a program of medical assistance in the form of early and periodic screening, diagnosis, and treatment under Title XIX of the Social Security Act administered by DHS through its ISD.

#### ARTICLE 3: STATUS OF CHILDREN

The programs set out above affect the following groups of children:

- A. All children who are under the age of 21 and who receive AFDC or SSI and who reside in New Mexico are eligible for Medicaid and EPSDT.
- B. Some children who are under the age of 21 and who reside in New Mexico are eligible for CCS.
- C. A small number of children who are under the age of 21 and who reside in New Mexico are eligible for both Medicaid and CCS.
- D. A small number of children who are under the age of 16 and who reside in New Mexico are eligible for SSI-DCP.

#### ARTICLE 4: PURPOSE

One purpose of this Agreement is to improve coordination in the providing of health care services to children eligible both for Medicaid and CCS with efforts specially directed to improving program management and evaluation in the EPSDT program.

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A second purpose of this Agreement is to authorize HED to provide diagnostic and treatment services in clinics conducted by the CCS program in the medical specialty areas of orthopedics, cardiology, cleft-palate, plastic surgery and neurology to children under the age of 11 who are eligible for AFDC or SSI and who reside in New Mexico.

#### ARTICLE 5: SCOPE OF SERVICES AND STAFFING PLAN

HED will provide the professional services as set for in Scope of Services and Contractual Services and Staffing Plan. EXHIBIT A, which is hereby incorporated and made a part of this Agreement.

#### ARTICLE 6: REIMBURSEMENT

HED will submit claims, at rates agreed upon in Exhibit A for services provided to the Fiscal Agent of the Medicaid (Title XIX) program. DHS will assure that the Fiscal Agent will process the claims in a timely manner and submit payments to HED to be credited to the account of CCS.

#### ARTICLE 7: MEDICAID (TITLE XIX) RESOURCES.

DHS will be the primary state resource for payment for care of Medicaid eligible children seen and/or referred by CCS specialty clinics for all services designated as covered services under Medicaid (Title XIX). However, payment benefits from other hospital or health insurance, or third parties which are under obligation to provide such benefits for Medicaid eligible children, must be used before drawing on Medicaid funds.

#### ARTICLE 8: COORDINATION OF EPSDT SERVICES

Within HED an SSI-DCP Unit has been set up to provide for counseling, development of individual service plans and referral of disabled children under age 16 and to provide medical, social, developmental, and rehabilitative services for disabled children under age 7 and those who never attended public school. This unit will assume responsibility for case management to assure that necessary EPSDT services are provided on a continuing basis to children eligible for this program which is operative in pilot project areas in New Mexico.

DHS, through its EPSDT program, will retain responsibility for case management of Medical eligible children receiving specialty clinic services.

#### ARTICLE 9: REFERRALS

HED will refer handicapped children receiving assistance or services under Title V to the DHS field offices when it appears that the child and his family may be eligible for assistance under Medicaid and would benefit from the receipt of such assistance.

DHS will refer any Medicaid (Title XIX) eligible child to the HED field offices when it appears that the child requires or may benefit from specialty clinic services and in those instances where the child require or may benefit from Title V covered services not covered under Title XIX. Referrals may be made by DHS field office staff or EPSDT staff as appropriate.

HED will refer Medicaid eligible children to the local DHS offices to obtain transportation money to receive Title XIX covered services when no other source of transportation is available.

In those instances where a Medicaid eligible child is not in possession of a current Medicaid Identification Card, HED will not assume continuation of eligibility under Medicaid and will refer the child's parents to the DHS field office.

In those instances where HED does not know the Medicaid eligibility status of a child, DHS field office staff will ascertain the status and advise HED.

#### ARTICLE 10: JOINT EVALUATION

Program representatives from DHS and HED shall periodically jointly evaluate the program and discuss any problems that might arise between the CCS program, SSI-DCP, and the New Mexico Medicaid Assistance Program.

Appropriate representatives from DHS and HED will be the Supervisor of Program Development of ISD's Medical Assistance Bureau and the managers of HSD's ICG program and the manager of HSD's SSI-DCP.

Meeting will be scheduled at least every six (6) months.

ARTICLE CONFIDENTIALLY:

Pursuant to 42 CFR 431.300 et seq. and 42 CFR 51a.112, all information as to personal facts and circumstances obtained, and all records kept by either of the parties hereto shall constitute privileged communication, shall be held confidential, and shall not be divulged without the client's consent except as may be necessary to provide needed services to that client. HSD's Regulation Governing Public Access to Information shall also apply.

ARTICLE 12: Amendments

This Agreement shall not be altered, changed or amended by instrument in writing executed by the parties hereto.

ARTICLE 13: Scope of Agreement:

This Agreement incorporates all the Agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, Agreements and understandings have been merged into this written agreement. No prior Agreement or understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.

DEPARTMENT OF HUMAN SERVICES

HEALTH AND ENVIRONMENT DEPARTMENT

*Lawrence B. Ingram* 7/30/79  
Secretary Date

*George S. Goldstein, PH.D* 7/27/79  
Secretary Date  
APPROVED:

*Julia Southerland*  
Julia Southerland,  
Assistant Attorney General Date  
Chief Attorney, DHS

*Geoffrey Sloan* 7/27/79  
Geoffrey Sloan Date  
Assistant Attorney General

*MA*  
State Contracts Officer Date  
Department of Finance and Administration

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EXHIBIT A

SCOPE OF SERVICES AND CONTRACTUAL SERVICES AND STAFFING PLAN

HSD will provide the following services under the Authority of this Agreement:

- 1) Provide services at CCS Specialty Clinics to children under the age of 21, who reside in New Mexico, and who are eligible for AFDC or SSI.

Services provided at CCS Specialty Clinics are:

- A) Orthopedics:  
Medical services for diagnosis and treatment of orthopedic conditions.
  - B) Cardiology:  
Medical services for diagnosis and treatment of cardiac conditions.
  - C) Cleft Palate:  
Medical and dental services for diagnosis and treatment of Cleft Palate and Cleft Lip conditions.
  - D) Plastic Surgery:  
Medical services for diagnosis and treatment of conditions requiring plastic surgery.
  - E) Neurology:  
Medical Services for diagnosis and treatment of neurologic conditions.
- 2) Submit all claims for diagnosis and treatment promptly as each clinic is completed to the Title XIX Fiscal Agent for reimbursement, at the following rates:

Medical Services, Orthopedic: \$26.00  
Medical Services, Cardiac: \$37.00  
Medical Services, Cleft Palate: \$19.00  
Medical Services, Plastic Surgery: \$25.00  
Medical Services, Neurologic: \$70.00

The name of the child and the identification number issued by DHS will be entered on the claim form.

Co-payment fee(s) will be deducted from the above quoted rates except in EPSDT related services.

The reimbursement rate for each specialty area is a capitation fee and is to be the total reimbursement for all medical services provided per visit to each specialty clinic per child eligible for AFDC or SSI. HED will use the following provider numbers and procedure codes in submitting claims:

	<u>Provider Number</u>	<u>Procedure Code</u>
Orthopedic	46789	00600
Cardiac	46698	00601
Cleft Palate	48157	00602
Plastic Surgery	48405	00603
Neurologic	46441	00605

- 3) Submit to DHS the name and identification number of each child diagnosed and treated and program reports as requested and available.
- 4) Coordinate with DHS the effort to meet requirements, deadlines, and reporting data required by involved Federal Agencies; and cooperate in the development of methods of exchange of information between DHS and HED.

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CONTRACTUAL SERVICES AND STAFFING PLAN

HED's Staffing Plan for services under the authority of this Agreement is as follows:

Orthopedic:	5 Orthopedic Physicians 1 Brace Shop Manager 1 Social Worker 3
Cardiac:	1 Pediatric Cardiologist (Physician) 1 Administrative Assistant (Clinic Coordinator) 1 Social Worker 2
Cleft Palate:	1 Pedodontist 1 Orthodontist 1 Plastic Surgeon 1 Ear, Nose, Throat Specialist (Physician) 1 Speech and Hearing Therapist
Plastic Surgery:	1 Plastic Surgeon 1 Speech and Hearing Therapist
Neurology:	1 Neurologist 1 Social Worker 2

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